AJN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9827 OF 2003

Shri S. Ramamoorthi ... Petitioner

Vs.

The State of Maharashtra & Ors. ... Respondents

Mr. M.D. Lonkar for the petitioner.

Mr. S.R Nargolkar, A.G.P. for respondent 1.

Mr. D.A. Dube for the respondent 2.

CORAM: V.G. PALSHIKAR &
SMT. RANJANA DESAI, JJ.

DATED: 19TH AUGUST, 2004.

P.C.:-

In view of the fact that the petitioner is having a claim of interest on delayed payment, the proper and only remedy is to file a civil suit for recovery of such interest on proof of the fact that the delay was by the State. Reserving the petitioner's right to file a civil suit, the petition is dismissed.

(V.G. PALSHIKAR, J.)

(SMT. RANJANA DESAI, J.)